



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: Boyse et al.

Serial No.: 08/442,277

Group Art Unit: 1804

Filed: May 16, 1995

Examiner: Stanton, B.

For: ISOLATION AND
PRESERVATION OF FETAL
AND NEONATAL
HEMATOPOIETIC STEM AND
PROGENITOR CELLS OF THE
BLOOD

Attorney Docket No.: 6287-026

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56 and § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby direct the Examiner's attention to the references listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant."

References AA to FW on the attached revised form PTO 1449 were cited by or submitted to the Patent Office in the prosecution history of the following patent applications to which the instant application claims priority under the provisions of 35 U.S.C. § 120: Serial No. 07/950,356 filed September 24, 1992 which is a Continuation under Rule 60 of Serial No. 07/269,926 filed November 10, 1988 which is

EXPRESS MAIL CERTIFICATION

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Date of Deposit February 8, 1996

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

ISMAEL MALDONADO

(Signature of person mailing paper or fee)

PENY3-451601.1

a Continuation-In-Part of patent application Serial No. 07/119,746 filed November 12, 1987. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the files of these applications for copies of the references AA-FW cited herein. In addition, applicants submit herewith copies of the references FX to GD to be made of permanent record in the file history of this application.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith several pages of a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited."

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(b), since Applicants believe that this information disclosure statement is being filed before the mailing date of a first Office Action on the merits, no fee is due in connection herewith. However, should the Patent Office determine otherwise, please charge the required fee to Pennie & Edmonds deposit account no. 16-1150; a duplicate of this sheet is enclosed.

Respectfully submitted,

Date February 8, 1995

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